Paper No. 14

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GENNARO A. CUOMO, MICHAEL L. FRAENKEL
GABRIEL GARCIA MONTERO and NATARAJ NAGARATNAM

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES
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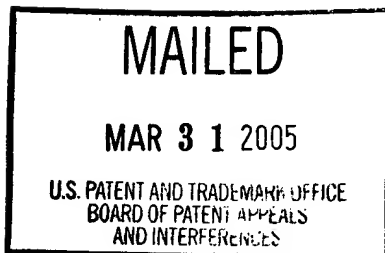
Appeal No. 2004-1882
Application No. 09/627,373

ON BRIEF

Before BARRETT, OWENS, and GROSS, *Administrative Patent Judges*.

OWENS, *Administrative Patent Judge*.

DECISION ON APPEAL

This appeal is from the final rejection of claims 9-17, 22-29, 38-46, 51-58, 60, 62 and 63, which are all of the pending claims.

THE INVENTION

The appellants claim a method, apparatus and computer product for managing an information request. Claims 9 and 22, which claim the method, are illustrative:

9.   A method in a data processing system for managing an information request, comprising :
    establishing a session, including authenticating a client based on a presented credential;

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generating a session identification in response to the
session being established;
associating the presented credential with session data;
sending the session identification to the client;
receiving a request for information and a credential and the
session identification from the client;
determining whether the session identification is valid;
determining whether the credential is valid for both the
client and the session data;
sending the information to the client in response to the
session identification and the credential being valid.

22. A method in a data processing system for managing an
information request, comprising:
receiving a request for information and a session
identification and a first credential from a client;
determining whether the session identification is valid;
retrieving a session data structure including a second
credential in response to the session identification being valid;
determining whether the first credential and the second
credential match; and
fulfilling the request for information in response to the
first credential and the second credential matching.

THE REFERENCES

Shi et al. (Shi)	5,875,296	Feb. 23, 1999
Dustan et al. (Dustan)	5,884,312	Mar. 16, 1999
Bayeh et al. (Bayeh)	6,098,093	Aug. 1, 2000
		(filed Mar. 19, 1998)

THE REJECTIONS

The claims stand rejected as follows: claims 22-29, 51-58

and 62 under 35 U.S.C. § 102(b) as anticipated by Dustan;

claims 9-17, 38-46, 60 and 63 under 35 U.S.C. § 103 as obvious

over Dustan in view of Shi; and claims 15, 27, 44 and 56 under 35

U.S.C. § 103 as obvious over Dustan in view of Bayeh.

OPINION

We affirm the aforementioned rejections.

The appellants indicate that the claims stand or fall in three groups: 1) claims 22-29 and 51-58, 2) claims 9-17, 38-46, 60 and 63, and 3) claim 62 (brief, page 4). Although, in addition to Dustan, Bayeh is applied to some of the claims in the first and second groups, the appellants do not argue the separate patentability of the claims to which Bayeh is applied. We therefore limit our discussion to claim 62 and one claim in each of the other groups, i.e., claims 22 and 9. *See In re Ochiai*, 71 F.3d 1565, 1566 n.2, 37 USPQ2d 1127, 1129 n.2 (Fed. Cir. 1995); 37 CFR § 1.192(c)(7)(1997).

Claim 22

Dustan discloses a system and method for securely accessing information from disparate data sources through a network (col. 1, lines 8-10). The user of a client provides an account number and a password (col. 8, lines 64-65). In response, a database server verifies the user's account number and password (col. 9, lines 1-3). The database server generates a unique session identification number (session id) and stores it locally in a user table such that it is associated with the user's account number (col. 9, lines 9-11). The database server then

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provides the session id and account number back to the client where it is stored (col. 9, lines 13-14). When requesting information the client "also provides the session id and account number back to database server **22** where it[1] is once again verified" (col. 9, lines 22-24). After the verification, information is provided back to the user (col. 9, line 35).

The appellants argue that Dustan does not disclose "retrieving a session data structure including a second credential in response to the session identification being valid" or "determining whether the first credential and the second credential match" (brief, page 5).

Dustan's user account number that is associated with the session id and is stored by the database server (col. 9 lines 9-11) corresponds to the appellants' session data structure including a second credential. The user account number provided by the client to the database server when information is requested corresponds to the appellants' first credential (col. 9, lines 22-24). When the session id/account number pair provided by the client with the information request is verified

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[1] We find that "it" refers to the session id/account number pair. This finding is supported by Dustan's disclosure that after a user requests information "the session id and account number are verified against a user table to ensure that they are valid" (col. 16, lines 52-54).

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against a user table (col. 9, lines 22-28; col. 16, lines 52-54),

that verification requires verifying the session id and verifying

its associated account number in the table. That verification of

the account number (the appellants' first credential) necessarily

requires retrieving the account number previously stored by the

database server (the appellants' second credential) and comparing

the account numbers.

Hence, we are not convinced of reversible error in the

examiner's rejection of the appellants' claim 22.

Claim 9

The appellants argue that "none of the cited references

teach or suggest the claimed steps of 'determining whether the

credential is valid for **both the client and the session data**' or

'sending the information to the client **in response to the session

identification *and* the credential being valid**' (brief, page 7).

Regarding the appellants' claim requirement of "sending the

information to the client in response to the session

identification and the credential being valid", Dustan verifies

the session id/account number pair and then sends the requested

information to the client (col. 9, lines 22-35).

As for the claim requirement of "determining whether the

credential is valid for both the client and the session data",

Dustan's database server verifies the account number and password provided by the user, generates a session id, stores the session id locally in a user table such that it is associated with the user's account number, and sends the session id and the account number back to the client where they are stored (col. 8, line 63 - col. 9, line 3; col. 9, lines 8-14). Thus, when the session id/account number pair is again verified (col. 9, lines 22-28), the account number is verified both with respect to the client and the session id with which the account number is associated in the user table.

Thus, we conclude that the method claimed in the appellants' claim 9 would have been obvious to one of ordinary skill in the art over the applied prior art.[2]

Claim 62

Claim 62 claims a computer program product having instructions for carrying out the method of claim 22. Dustan's computer-implemented method necessarily includes program instructions for carrying out that method. As discussed above regarding the rejection of claim 22, Dustan's method includes the steps required by that claim.

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[2] Any relevant disclosures in Shi are merely cumulative to those in Dustan.

The appellants' only argument with respect to claim 62 is
that the final rejection does not include a rejection of that
claim (brief, page 8). Although, in the final rejection,
claim 62 is not included in the statement of the rejection, the
explanation of the rejection begins with "[r]egarding claims 20,
25, 26, 28, 51, 54, 57 and 62 ..." (final rejection mailed
May 22, 2003, paper no. 7, page 2). Thus it is clear that
claim 62 is rejected and that the examiner's omission of that
claim from the statement of the rejection was inadvertent.

Thus, we are not convinced of reversible error in the
examiner's rejection of claim 62.

The rejections of claims 22-29, 51-58 and 62 under 35 U.S.C. § 102(b) over Dustan, claims 9-17, 38-46, 60 and 63 under 35 U.S.C. § 103 over Dustan in view of Shi, and claims 15, 27, 44 and 56 under 35 U.S.C. § 103 over Dustan in view of Bayeh, are affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

AFFIRMED

Lee E. Barrett   )
Administrative Patent Judge   )
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)
Terry J. Owens   ) BOARD OF PATENT
Administrative Patent Judge   )
)   APPEALS AND
)
Anita Pellman Gross   ) INTERFERENCES
Administrative Patent Judge   )
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Application No. 09/627,373

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